

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gorte, et al.

Confirmation No.: **5527**

Serial No.: **10/053,085**

Group Art Unit: **1795**

Filing Date: **November 9, 2001**

Examiner: **Wang, Eugenia**

For: **USE OF SULFUR-CONTAINING FUELS FOR DIRECT OXIDATION
FUEL CELLS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants gratefully acknowledge the May 11, 2011 Notice of Allowance in this case, and now provide comments on the examiner's reasons for allowance.

First, the examiner states that claims are allowable because the Board of Appeals interpreted the term "bound" in the claims to mean "a structure wherein a level of adherence achieved by sintering is necessary" (Notice of Allowance at 2). For the sake of completeness, however, applicants note that the Board stated that "the recited 'portion of the anode being bound to the electrolyte' requires a level of adherence between a portion of the anode and the electrolyte that corresponds to the level of adherence achieved by the disclosed sintering operation" (Board decision at 4-5).

Accordingly, the Board did not state that "a level of adherence achieved by sintering is necessary." Instead, the Board stated only that "[the] level of adherence between a portion of the anode and the electrolyte [] corresponds to the level of adherence achieved by the disclosed sintering operation." The Board's decision thus does not require that the covered product exhibit adherence that is necessarily produced by sintering.

Second, the examiner stated that "the prior art of record, alone or in combination, appears to teach, suggest, or render obvious the invention of at least claim 62-64" (Notice of Allowance at 2). Given that the examiner has allowed applicants' claims, the examiner

appears to have omitted the words “does not.” Accordingly, applicants understand the examiner to have stated that the prior art of record, alone or in combination, ***does not*** teach, suggest, or render obvious the invention of at least claims 62-64.

Respectfully submitted,

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